

STATE BOARD MEETING DATEAugust 27, 2007**SUBJECT:** Consideration of Review Case No. C-2006-111 R, Philip Schutte**SUBMITTED BY:** Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education**MANAGEMENT TEAM REVIEW:** August 9, 2007**BACKGROUND INFORMATION:**

Philip Schutte applied for a Substitute Certificate on September 05, 2006. On his application for certification, he answered "yes" to having ever been arrested on a charge for which he was fingerprinted. In his attached statement he disclosed the following:

- DUI summer of 1998

The Investigative Unit discovered an additional charge and notified Mr. Schutte. He then provided a second statement which included a Solicitation of Possession of Narcotic Drugs charge in the fall of 1985.

On July 11, 2007, the Professional Practices Advisory Committee (the "PPAC") conducted a review of Mr. Schutte's application. Mr. Schutte participated telephonically. The PPAC found that Mr. Schutte's conduct constituted immoral conduct, but agreed that sufficient evidence exists to mitigate his conduct. The PPAC made its recommendation based upon the following:

Aggravating factors:

- The inherent seriousness of the underlying incidents
- His failure to disclose his prior arrests in his original 1999 application

Mitigating factors:

- The offenses occurred nearly 20 years ago and 10 years ago. In both instances he completed probation successfully
- The fact that he disclosed the prior instances in his present application
- That he has not experienced any subsequent arrests
- Letters of recommendations submitted on his behalf
- The positive employment history he has demonstrated
- Completion of his teaching credentials

BOARD ACTION REQUESTED: [] INFORMATION [X] ACTION/DESCRIBED
BELOW:

That the Board accept the findings of fact, conclusions of law and recommendation of the PPAC and **grant** Mr. Schutte's application for certification.

ATTACHMENTS: YES [X] NO []